



General Assembly

February Session, 2004

Raised Bill No. 318

LCO No. 366

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Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

AN ACT CONCERNING NURSING HOME STAFFING LEVELS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-522 of the general statutes, as amended by
2 section 74 of public act 03-278, is repealed and the following is
3 substituted in lieu thereof (*Effective January 1, 2007*):

4 (a) The commissioner shall adopt regulations, in accordance with
5 chapter 54, concerning the health, safety and welfare of patients in
6 nursing home facilities, classification of violations relating to such
7 facilities, medical staff qualifications, record-keeping, nursing service,
8 dietary service, personnel qualifications and general operational
9 conditions. The regulations shall: (1) Assure that each patient admitted
10 to a nursing home facility is protected by adequate immunization
11 against influenza and pneumococcal disease in accordance with the
12 recommendations of the National Advisory Committee on
13 Immunization Practices, established by the Secretary of Health and
14 Human Services; (2) specify that each patient be protected annually
15 against influenza and be vaccinated against pneumonia in accordance
16 with the recommendations of the National Advisory Committee on
17 Immunization; and (3) provide appropriate exemptions for patients for

18 whom such immunizations are medically contraindicated and for
19 patients who object to such immunization on religious grounds.

20 (b) (1) As used in this subsection, "direct care" means hands-on-care
21 provided to residents of nursing home facilities, and includes, but is
22 not limited to, feeding, bathing, toileting, dressing, lifting and moving
23 such residents, but does not include food preparation, housekeeping or
24 laundry services, except when such services are required to meet the
25 needs of any such resident on an individual situational basis.

26 (2) On and after January 1, 2007, the Department of Public Health
27 shall not issue a license to or renew the license of a nursing home
28 facility unless such facility maintains direct care provider staffing
29 levels needed to meet the minimum nursing staff to resident ratios
30 required under this subsection.

31 (A) For the period from January 1, 2007, to December 31, 2007, each
32 nursing home facility shall, at a minimum, maintain direct care
33 provider staffing levels adequate to provide a nursing staff to resident
34 ratio that will provide for 3.75 hours of direct care per resident over a
35 twenty-four-hour period.

36 (B) For the period from January 1, 2008, to December 31, 2008, each
37 nursing home facility shall, at a minimum, maintain direct care
38 provider staffing levels adequate to provide a nursing staff to resident
39 ratio that will provide for 4.00 hours of direct care per resident over a
40 twenty-four-hour period.

41 (C) On and after January 1, 2009, each nursing home facility shall, at
42 a minimum, maintain direct care provider staffing levels adequate to
43 provide a nursing staff to resident ratio that will provide for 4.13 hours
44 of direct care per resident over a twenty-four-hour period.

45 (3) Any licensed nursing home facility that fails to comply with the
46 minimum staffing requirements of subdivision (2) of this subsection on
47 any day shall submit a report to the department identifying the day

48 during which such noncompliance occurred and specifying the reasons
 49 for and circumstances surrounding such noncompliance. The report
 50 required by this subdivision shall be submitted on a quarterly basis. If
 51 such facility fails to submit the report required by this subdivision or
 52 intentionally misrepresents the information contained in any such
 53 report, or if the commissioner determines that there is sufficient
 54 evidence to support a finding that there exists a pattern of
 55 noncompliance by such facility with the minimum requirements of
 56 subdivision (2) of this subsection, the commissioner may take action
 57 against such facility in accordance with sections 19a-524 to 19a-528,
 58 inclusive.

59 [(b)] (c) Nursing home facilities may not charge the family or estate
 60 of a deceased self-pay patient beyond the date on which such patient
 61 dies. Nursing home facilities shall reimburse the estate of a deceased
 62 self-pay patient, [within] not later than sixty days after the death of
 63 such patient, for any advance payments made by or on behalf of the
 64 patient covering any period beyond the date of death. Interest, in
 65 accordance with subsection (a) of section 37-1, on such reimbursement
 66 shall begin to accrue from the date of such patient's death.

This act shall take effect as follows:	
Section 1	<i>January 1, 2007</i>

Statement of Purpose:

To revise the standards for nursing home staffing.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]